IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.352 OF 2006

Vasantrao Bajirao Kawade
& Ors. ..Appellants.
Vs.
Sugandhabai Pavati Kawade
& Ors. ..Respondents.
(Orig.Defts.)

Shri Avinash B. Avhad for the Appellants.
None for the Respondents.

CORAM : S.J. VAZIFDAR, J.
DATED : 10TH AUGUST, 2007

P.C. :

It is not even the Appellant/Plaintiff's case in his suit for injunction that he has any title in respect of the suit property. Further, the learned Judge has discussed in detail the evidence regarding possession. The learned Judge has come to the conclusion that the Plaintiff has not even proved his possession whereas the Defendant has. While arriving at this conclusion, the learned Judge has analysed the oral and documentary evidence in detail. It is pertinent to note that the Plaintiffs did not even lead any evidence on behalf of the neighbours.

2. In the circumstances, only disputed questions of facts have been raised.

3. The Appeal is dismissed.